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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SEAN MCCLINTOCK; and
VALERIE FLORES,

Plaintiffs,

vs.

**CITY OF FOUNTAIN VALLEY;
and DOES 1-10, inclusive.**

Defendants.

8:25-cv-01381-MRA-ADS
Hon. Monica Ramirez Almadani
Hon. Autumn D. Spaeth, Magistrate

STIPULATION TO MODIFY SCHEDULING ORDER

TO THE HONORABLE COURT, ALL PARTIES, AND THEIR
ATTORNEYS OF RECORD:

IT IS HEREBY STIPULATED by and between the parties herein through their respective attorneys of record as follows:

1. The operative pleading, the Complaint for Damages, was filed on June 26, 2025 (Dkt. 1). This is the parties' first request for a continuance of trial and all dates.
 2. In October 2025, the parties held preliminary discussions regarding the case and possible early resolution. The parties then agreed to participate in early mediation with Rick Copeland, Esq. Upon agreement to using Mr.

1 Copeland as a mediator, the parties contacted Mr. Copeland to obtain his
2 earliest availability, which was not until March 2026. Currently, the parties
3 are scheduled to participate in early mediation with Mr. Copeland on March
4 18, 2026. The parties have a good faith belief that they may be able to reach
5 an early resolution of this case at the March 18, 2026, mediation. Because
6 the parties believe the case may settle at early mediation, they submit that
7 good cause exists to continue the fact discovery cutoff, currently set for
8 April 13, 2026, and related dates in this matter, in an effort to avoid
9 unnecessary costs and expense incurred by their respective clients.

- 10 3. The interim, the parties have been actively engaged in discovery in this civil
11 action and have nearly completed all written discovery. The parties have
12 discussed Plaintiffs' interest in amending the complaint to name the
13 shooting officer as an individual defendant in this action, and Defendant
14 must seek authority from their client to do so. Because of the holiday
15 schedule, the parties submit that good cause exists to continue Plaintiffs'
16 deadline to amend the complaint to add additional parties.
- 17 4. Defense counsel Kimberly Sarmiento, the associate working up the case for
18 Defendant City in this case, will be going on maternity leave February 2026
19 through June 2026. The parties believe additional time is necessary to allow
20 for additional discovery to continue after Ms. Sarmiento's return from
21 maternity leave, should the case not resolve at early mediation.
- 22 5. Based on the foregoing, the parties respectfully submit that GOOD CAUSE
23 exists to continue the dates in this case and modify the operative scheduling
24 order as follows:

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1	Trial and Final Pretrial Conference Dates	Current Dates	[Proposed] Dates
2	Last Day to Amend Pleadings/Add Parties	12/28/2026	3/28/2026
3	Non-Expert Discovery Cut-off	4/13/2026	7/12/2026
4	Expert Disclosure (Initial)	5/4/2026	8/2/2026
5	Expert Disclosure (Rebuttal)	6/1/2026	8/30/2026
6	Expert Discovery Cut-off	6/22/2026	9/20/2026
7	Last Day to Hear Non-Discovery Motions	7/6/2026	10/4/2026
8	Deadline to file first round of trial documents	8/18/2026	11/16/2026
9	Deadline to file second round of trial documents	8/27/2026	11/25/2026
10	Final Pretrial Conference	9/8/2026	12/7/2026

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IT IS SO STIPULATED.

DATED: December 23, 2025

CARPENTER, ROTHANS & DUMONT

By: /s/ Kimberly Sarmiento
Mark D. Rutter, Esq.
Kimberly Sarmiento, Esq.
Attorneys for Defendant,
City of Fountain Valley

DATED: December 23, 2025

LAW OFFICES OF DALE K. GALIPO

By _____ /s/ Eric Valenzuela
Dale K. Galipo
Eric Valenzuela
Attorneys for Plaintiffs